

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of:

Ronald A. KATZ

Appeal No.: 2003-1089

Serial No.: 08/407,064

Filed: March 20, 1995

For: VIDEOPHONE SYSTEM FOR
SCRUTINY MONITORING WITH
COMPUTER CONTROL

Group Art Unit: 2643

Examiner: S. Woo

Decision on Appeal: August 25, 2004

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.197

Terry J. Owens
Stuart S. Levy
Howard S. Blankenship
Administrative Patent Judges
Board of Patent Appeals and Interferences
U.S. Patent and Trademark Office
Washington, D.C. 20231

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2004 NOV - 3 AM 11: 33
BOARD OF PATENT APPEALS
AND INTERFERENCES

Dear Sir:

Pursuant to 37 C.F.R. § 1.197(b), reconsideration is respectfully requested of the Decision on Appeal dated August 25, 2004, in the subject patent application. Specifically, reconsideration is respectfully requested for the rejected claims 40-45, with regard to the distinction including "D" channel alert.

In the Decision on Appeal, a distinction was recognized with respect to the use of "D" channel alert. The specific quotation from the Decision on Appeal is as follows:

"Claim 40 does not require that the D channel type signals are used for alert situation indication." (Decision on Appeal, page 11)

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

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10/25/04
Date

Laura Harmon

With respect to claim 40, in fact, the D channel alert is recited. Specifically, the pertinent portion of claim 40 states as follows:

"telephonic interface apparatus for interconnecting said television camera structures at said monitored locations and said central station, said telephonic interface apparatus including at least one autodialer apparatus at said monitored locations for dial-up connection originated from a monitored location, said telephonic apparatus further including "D" channel type apparatus, for providing "D" channel type signals to manifest said various alert situations; and" [emphasis added]

The claim 40 is submitted to clearly express the use of "D" channel signals to communicate ("manifest") various alert situations. On that basis, reconsideration is respectfully requested with regard to claim 40 and additionally with respect to the dependent claims 41 through 45, which constructively carry the same distinction.

Authorization is hereby made to charge any required fees or credit any overpayments to Deposit Account No. **50-1636**.

Respectfully submitted,

Dated: 10/25/04

By: B. G. Nilsson
B.G. Nilsson
Registration No. 17,350

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

08/407,064

Filing Date

March 20, 1995

First Named Inventor

Ronald A. KATZ

Art Unit

2643

Examiner Name

S. Woo

Attorney Docket Number

6046-101NA

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Request for Reconsideration (2 pages) in triplicate; return postcard.	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BERRY & ASSOCIATES P.C.		
Signature			
Printed name	B.G. Nilsson		
Date	October 25, 2004	Reg. No.	17,350

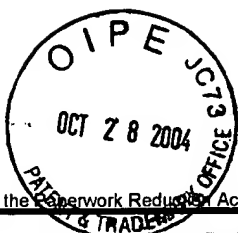
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Signature			
Typed or printed name	Laura Harmon	Date	October 25, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	08/407,064
Filing Date	March 20, 1995
First Named Inventor	Ronald A. KATZ
Examiner Name	S. Woo
Art Unit	2643
Attorney Docket No.	6046-101NA

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
A2D, L.P.

Deposit Account Name
50-1636

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>	<input type="text"/>
Multiple Dependent					<input type="text"/>	<input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	B.G. Nilsson	Registration No. (Attorney/Agent)	17,350	Telephone	310-247-2860
Signature		Date	October 25, 2004		

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